

REMARKS/ARGUMENTS

By this Amendment, Claims 23, 26 and 39 have been amended. Claims 24, 25, 27, 29 and 34 have been canceled and Claims 1 – 22, 30 – 33, 35 – 38 and 40 – 42 have been withdrawn.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

The only two independent claims now appearing in this application, i.e., Claims 23 and 38, have been amended to specify that the anisotropic wound packing comprises a spirally wound cylindrically configured winding of gauze arranged to preferably collapse inward in radial directions. This feature is clearly disclosed in the specification of the application (see the last two lines of page 7 and on lines 5 – 8 of page 8 of subject application as filed) and is not shown nor suggested in the U.S. Patent 5,358,494 (Svedman) which has been applied to the claims in the Final Rejection.

As should be readily appreciated the Svedman reference discloses a device for irrigating a wound via a syringe-like device including a flexible pad 11. The PTO contends that pad 11 of Svedman constitutes the claimed anisotropic wound packing. To the contrary, it is respectfully submitted that there is nothing in the Svedman reference to disclose or suggest that the pad 11 is anything other than a monolithic cylinder. In particular, all that Svedman teaches about the flexible pad 11 is that it is “a cylindrical piece of synthetic fabric or foam rubber . . .” (see Col. 2, lines 57 – 58). There is absolutely no disclosure, nor hint, in Svedman that the cylindrical piece of synthetic fabric, i.e., the pad 11, is in the form of any kind of rolled up body, let alone a spirally wound cylindrically configured winding of gauze arranged to preferably collapse inward

in radial directions, as is now claimed in amended independent Claims 23 and 38. In fact, there would seem to be no reason for Svedman to use a material that contracts, let alone a spirally wound gauze body to preferentially contract as now claimed, since Svedman is directed to the irrigation of the wound as a means of ultimately enabling the wound to heal, not to the application of suction to the wound to encourage its healing as is the case of the subject invention.

Accordingly, it is respectfully submitted that Claims 23 and 38 are patentable.

Claim 26, which is dependent on Claim 23, has been amended to call for a plurality of spirally wound cylindrically configured windings of gauze, each of which has a respective longitudinal axis, and wherein the plurality of windings are disposed with their respective longitudinal axes generally parallel to each other in the wound. These features, alone and in combination, with the features as set forth in Claim 23, are not shown nor suggested in Svedman. Hence it is respectfully submitted that Claim 26 is patentable.

Claim 28 is dependent upon Claim 23 and is patentable for reasons similar thereto.

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Application No. 10/663,226
Amendment Dated July 8, 2009
Reply to Final Rejection of April 29, 2009

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

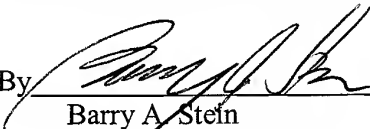
Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

July 8, 2009

Please charge or credit our Account
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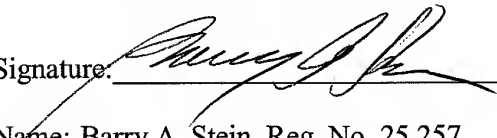
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Date: July 8, 2009

Signature: 

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